



EX PARTE OR LATE FILED

**RONDARADIO, INC.**  
**Community Radio Round Lake**  
484 N. Haywood Drive, Round Lake, IL 60073-3270  
312.389.1336 312.919.6126

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**OCT 12 2000**

**FCC MAIL ROOM**

October 6, 2000

Chairman William E. Kennard & Commissioners  
Federal Communications Commission  
445 12<sup>th</sup> Street, Southwest  
Washington, DC 20554

RE: MM Docket 99-25/Creation of Low Power FM Radio Service

Dear Chairman Kennard, Commissioners Ness, Furchgott-Roth, Powell, Tristani:

Our recently formed RONDARADIO organization is a coalition of government and non-profit community groups that seek to establish a Low Power FM (LPFM) radio presence within our community.

Our Board of Directors reflects a cross section of the community and its leaders. RONDARADIO's by-laws guarantee a 15 member board representation comprised of the community's municipalities; school, fire, park, and library districts; local law enforcement; civic groups; religious organizations; and the public at large (see Exhibit A).

As such, we think our group embodies the fullest potential of what the Commission seeks to accomplish with the LPFM initiative.

The purpose of creating our organization was to allow many different local government and non-profits groups to utilize the new service quickly and effectively. Our organization's mission is to help each community group use the radio medium as a tool towards achieving each of their specific goals. Our organization will allow each entity to efficiently use the LPFM service while minimizing the amount of their resources to do so (see Exhibit B).

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As an applicant (BNPL-20000828AAW), we are one of three who have requested the same frequency (101.5 FM, Channel 268) resulting in mutual exclusivity.

Our understanding of the point system, used for resolving tied mutually exclusivity among LPFM applicants, is that points will be awarded based on three criteria. A point each for (1) established community presence; (2) proposed operating hours; and (3) local program origination.

Under the present point system our organization has 2 points while the other applicants (BNPL-20000831ADG and BNPL-20000829ADU) have claimed 3 points each, barring any disqualification of points by the FCC. Our organization cannot claim a point for the established community presence criteria because it was formed under the 2 year requirement, this despite that our group represents an array of government and non-profits entities who have many years of community presence--some having more than century of community service and firmly established constituencies within our community.

One of the applicants (BNPL-20000831ADG) has applied for a license that would have them operating, in large part, within the same service contour as ours. Therefore, we had planned to aggregate our 2 points with the 3 points of that applicant, for a total 5 points. We also intended to work towards a time share agreement, if necessary. However, the language of the rules state 'tied mutual exclusivity'. The key word is 'tied'. Since we are not tied with our initial 2 points we apparently are precluded from working out an equitable agreement, one that would allow us to combine our points and allow our community to be well served by an LPFM license.

In the Rules and Order, and Memorandum Opinion and Order the Commission states that the established community presence requirement would act to prevent a rush by some to create new organizations simply to multiply the chances of receiving a license. This is a well intentioned requirement. However, inadvertently the formation of our community coalition to let the new LPFM service encompass the greatest use, by the largest number of community organizations is penalized.

In hindsight with the existing point requirement for established community presence, we, and probably future similarly situated applicants, would be induced to file applications by each coalition member for the same channel, in order to foster tied mutual exclusivity and accumulate the greatest number of points. This of course multiplies the volume of paperwork and effort for all involved.

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We believe that our organization, and coalition groups such as ours, will be able to draw from a multitude of funding resources from amongst its members and to call upon a wide range of skills and diversified talents that a coalition group offers.

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We ask that the Commission give due consideration to reviewing the first element of the point system and modify it to not requiring *tied* mutual exclusivity, but simply mutual exclusivity. We believe this will encourage other communities to do as we have done, build community coalition groups who will undertake a cooperative undertaking in making the Commission's vision of LPFM service a reality.

Sincerely,



Bish J. Krywko  
President and Chairman  
RONDARADIO, INC.

Enc: Exhibit A, Exhibit B

cc: Linda Blair, Chief - Audio Services  
Susanna Zwerling - Special Counsel  
Secretary - Federal Communications Commission

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**EXHIBIT A**

**FCC MAIL ROOM**

**RONDARADIO, INC. Board of Directors**

**Bish J. Krywko**  
**President and Chairman**  
**RONDARADIO, INC.**

**Robert E. Powers**  
**Vice President, RONDARADIO, INC.**  
**Chairman, Avon Township Republican**  
**Committee, Lake County, IL**

**Ila Bauer**  
**Director, RONDARADIO, INC.**  
**Mayor, Village of Round Lake Park, IL**

**Denise Blake**  
**Director, RONDARADIO, INC.**  
**Technology Director, Round Lake Area**  
**School District 116**

**Craig Bruska**  
**Director, RONDARADIO, INC.**  
**Trustee, Round Lake Area Library District**

**Rev. Thomas Curry**  
**Director, RONDARADIO, INC.**  
**Pastor, Community Church of Round Lake**

**Rev. Kerry Doyal**  
**Director, RONDARADIO, INC.**  
**Pastor, Lakes Region Bible Church**

**Terre Ezyk**  
**Director, RONDARADIO, INC.**  
**BOE, Round Lake Area School District 116**

**Charlie E. Foy**  
**Director, RONDARADIO, INC.**  
**Chief, Round Lake Police Department**  
**Village of Round Lake, IL**

**Terry Lumpkins**  
**Director, RONDARADIO, INC.**  
**Mayor, Village of Round Lake Heights, IL**

**Jim Rock**  
**Director, RONDARADIO, INC.**  
**Exec. Dir, Round Lake Area Park District**

**Maria Salvatore**  
**Director, RONDARADIO, INC.**  
**Resident, Village of Round Lake, IL**

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EXHIBIT B

The Role of LPFM in Round Lake

A student/community operated LPFM radio station in Round Lake will provide an excellent opportunity for students and community organizations to educate, inform and entertain. The station will air a wide range of programming that serves the local needs of the community and at the same time gives students realistic vocational training.

Much of the Round Lake LPFM station's operation and programming during weekdays is proposed to be handled by Round Lake High school students who are enrolled in media courses that will be a part of the 5,800 student school district's technology curriculum. At other times, during the week and weekends, government and non-profit organizations will be able to produce and air their own programs. On many occasions it is expected that both students and community organizations will work together in creating on air programs.

Some of the type and variety of shows expected to be aired on a Round Lake community radio are:

- Educational (Distance Learning, book readings, etc.)
- School News, Sports and Events (Graduation, Homecoming, etc.)
- Community News, Sports and Events
- Public Meetings (School Board, Village, Zoning, Park, Library, Fire, etc.)
- Public Service Programs (Fire Safety, D.A.R.E., etc.)
- Talk Programs (General topic, sports, health, etc.)
- Senior Shows (Medical Info, Social Security, etc.)
- Ethnic Programming
- Music Shows (Alternative, Rock, Oldies, Classical, Easy Listening, etc.)
- Religious (Sunday Services, Bible School, Choir, etc.)

The radio station will become a valuable tool for communicating to the approximately 40,000 + residents living in five villages that make up the Round Lake community and another estimated 30,000 in outlying areas that would fall into the station's service contours. It shall enable the community's schools to enhance their technology offerings and training to their students. It will offer service organizations and other groups a convenient, efficient and powerful method to communicate throughout the local area.